

REMARKS

Claims 75- 140 are pending in the application. To further prosecution, Applicant cancelled Claims 1, 4, 6, 7, 9, 10-12, 14-19, 33, 34-46, 49, 51-54, 56-59, 61-66, and 68-74 without disclaimer of the subject matter contained therein. Applicant reserves the right to represent the cancelled claims in this or a later filed patent application. No new matter was added to the application.

Applicant respectfully request continued examination of the claims of this application in view of the following remarks.

Withdrawal from Abandonment

Applicant thanks the examiner for withdrawing the abandonment of the application in the Office Action mailed November 3, 2008.

Rejections based under 35 U.S.C. 103(a)

In response to the previously filed Request for Continued Examination, the Final Office Action mailed November 4, 2008 rejected all the pending claims.

Claims 1, 6, 7, 9, 10, 12, 14-19, 33, 34, 36-44, 46, 49, 51, 53, 54, 56, 57, 59, 61-66, 68, 70, 71, 73 and 74 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alamouti et al (US 6,853,629) in view of Fathallah et al (US 6,381,053). See Office Action page 4, item 5.

Claims 4, 35 and 52 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alamouti et al in view of Fathallah further in view of Swanke (US 5,521,533). *See* Office Action page 13, item 6.

Claims 8, 55 and 72 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alamouti et al in view of Fathallah further in view of Beard (US 7,230,971). *See* Office Action page 14, item 7.

Claims 11, 45, 58 and 69 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alamouti et al in view of Fathallah further in view of Becker (US 6,726,099). *See* Office Action page 15, item 8.

In view of Applicant's amendment to the claims, the above rejections are now moot.

Therefore, Applicant respectfully request consideration of the new Claims 75-140, which Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, fails to teach or suggest.

For example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, fails to teach or suggest the limitations of "a pseudo-random code generator configured to generate a first stream of pseudo-random code words and a second stream of pseudo-random code words, wherein the first stream of pseudo-random code words and the second stream of pseudo-random code words are interrelated by a predetermined relationship," as described in Claim 75.

As another example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, fails to teach or suggest the limitations of " a pseudo-random code generator configured to generate a first stream of pseudo-random code words

and a second stream of pseudo-random code words, wherein the first stream of pseudo-random code words and the second stream of pseudo-random code words are interrelated by a predetermined relationship," as described in Claim 91.

As another example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, also fails to teach or suggest the limitations of "a pseudo-random code generator configured to generate a first stream of pseudo-random code words, a second stream of pseudo-random code words, and a third stream of pseudo-random code words, wherein pseudo-random code words included in the first stream of pseudo-random code words, the pseudo-random code words included in the second stream of pseudo-random code words, and the pseudo-random code words included in third stream of pseudo-random code words are interrelated by a predetermined relationship," as recited in Claim 104.

As another example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, also fails to teach or suggest the limitations of "generating a first stream of pseudo-random code words with a pseudo-random number generator," and "generating, with the pseudo-random number generator, a second stream of pseudo-random code words that are functionally interrelated to the first set of pseudo-random code words by a predetermined relationship," as recited in Claim 107.

As another example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, fails to teach or suggest the limitations of "generating within a data bit time, with a programmable direct digital frequency synthesizer, a plurality of carrier signals, each of the carrier signals having a respective pseudo-random

carrier frequency as a function of a first subset of bits of the stream of pseudo-random codes," and "modulating each of the carrier signals generated during the data bit time, as a function of a second subset of bits of the stream of pseudo-random codes, with a plurality of sub-segments of chips," as described in Claim 125.

As another example, Alamouti, Fathallah, Swanke, and Beard, either alone or in combination, fails to teach or suggest the limitations of "generating a first stream of pseudo-random codes having a first sequence length based upon predetermined interrelationships between the first stream of pseudo random codes, a second stream of pseudo-random codes and a third stream of pseudo random codes," as described in Claim 136.


Conclusion

Accordingly, as discussed above, Applicant request consideration of the new Claims 75 – 140.

In order to facilitate compact prosecution, Applicant respectfully requests that the Examiner contact the undersigned attorney for the Applicant to arrange an interview prior to issuance of the next office action, unless the next office action is a notice of allowance. Applicant further invites the Examiner to contact the undersigned attorney if the Examiner believes such a conversation would facilitate early allowance and issuance of the claims of Applicant's application.

Respectfully submitted,

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